

DA

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of)
DETERMINATION OF THE RIGHTS)
of the Various Claimants to)
the Water of an Unnamed Stream,)
known as Johnson Creek)

Order: WR 87-4

Source: Johnson Creek

County: Shasta



ORDER DENYING PETITION FOR DETERMINATION OF WATER RIGHTS
ON JOHNSON CREEK

WHEREAS:

1. A petition from William L. and Georgene E. Riech, Douglas and Judith L. Bryant and Don and Mary Ann Robinson has been filed with the State Water Resources Control Board pursuant to Water Code Section 2525 requesting determination of the rights of the various claimants to the water of the Johnson Creek watershed in Shasta County.

2. The Board has made an investigation to determine the public interest and necessity for a statutory adjudication on Johnson Creek. The findings of this investigation are summarized in the document entitled "Report of Preliminary Investigation to Determine Public Interest and Necessity for a Statutory Adjudication of an Unnamed Stream (known as Johnson Creek) in Shasta County".

3. The Board has reviewed the subject report and finds the following:

a. Johnson Creek drains a watershed of about one square mile in Shasta County. It flows directly into Montgomery Creek thence Pit River.

b. Use of water from Johnson Creek under dispute is made from two points of diversion for domestic irrigation and stockwatering purposes.

c. Controversy over the use of water of Johnson Creek is related to a minority of the landowners along the stream and should be resolved by agreement or by adjudication of the Superior Court.

d. Facts and conditions in the Johnson Creek watershed are such that the public interest and necessity will not be served by statutory determination of the water rights. Denial of this petition, without prejudice, does not prohibit the petitioners from filing a future petition when conditions become such that the public interest and necessity would be served by approval of any such petition.

NOW, THEREFORE, IT IS ORDERED that said petition be denied.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order/decision/resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 21, 1987

AYE: W. Don Maughan, Chairman
Darlene E. Ruiz, Vice Chairwoman
Edwin H. Finster, Member
Eliseo M. Samaniego, Member

NO: None

Absent Danny Walsh, Member

Abstain None



Maureen Marche
Administrative Assistant to the Board